

FARMINGTON CITY COUNCIL MEETING

Wednesday, June 1, 2005

CITY COUNCIL WORK SESSION/EAST CONFERENCE ROOM

PRESENT: Mayor David M. Connors, Council Members Richard Dutson, Larry W. Haugen, Susan T. Holmes, Sidney C. Young, City Manager Max Forbush, City Planner David Petersen, and Recording Secretary Jill Hedberg. David Hale was out of town.

Mayor Connors began discussion at 5:30 P.M. The following items were reviewed:

Agenda Item #14 - Miscellaneous. The accident at the intersection of Clark Lane and 1100 West was discussed. The long term solution should be made according to procedure but can only occur after the intersection improvements are complete. Minor adjustments such as a flashing warning light could be considered. It had been determined that the intersection was the responsibility of the City, although an agreement had not yet been signed with UDOT.

City Staff stated that Planning Commissioner John Montgomery had resigned.

Agenda Item #12A - Consideration of a Resolution of the City Council Appointing a Board of Equalization and Review for Farmington City, Utah Special Improvement District No. 2003-1. City Staff had amended the City Council agenda to include consideration of appointing Council Members to serve as a "Board of Equalization" for Special Improvement District 2003-01.

Agenda Item #5 - Consideration to Amend Cornerstone Subdivision Plat by Adding New Lot Adjacent to Emerald Oaks Drive and by Vacating 700 West North of Emerald Oaks Drive - Harley and Jean Evans. There was an agreement made ten years ago between Harley Evans and Farmington City regarding a road on 700 West. Many citizens felt altering the agreement would be a breach of trust. The Planning Commission recommended granting the road vacation conditional on receiving a trail easement to the east between Lots 12 and 13, but denying the request for an additional lot. City staff thought the road should not be vacated without trying to obtain an additional road to the east into Fruit Heights City to improve circulation.

REGULAR CITY COUNCIL/CITY CHAMBERS/CALL TO ORDER

PRESENT: Mayor David M. Connors, Council Members Richard Dutson, Larry W. Haugen, Susan T. Holmes, Sidney C. Young, City Manager Max Forbush, City Planner David Petersen, City Recorder Margy Lomax, and Recording Secretary Jill Hedberg.

Mayor Connors called the meeting to order at 6:00 P.M. **Rick Dutson** offered the invocation. The Pledge of Allegiance was led by **Larry Haugen**.

APPROVAL OF MINUTES OF PREVIOUS MEETING

Rick Dutson moved to approve the minutes of the May 11, 2005, Special City Council

Meeting. **Larry Haugen** seconded the motion, with changes as noted. The voting was unanimous in the affirmative.

Susan Holmes moved to approve the minutes of the May 17, 2005, Special City Council Meeting. **Rick Dutson** seconded the motion. The voting was unanimous in the affirmative.

Larry Haugen moved to approve the minutes of the May 18, 2005, City Council Meeting. **Rick Dutson** seconded the motion. The voting was unanimous in the affirmative.

MASTER TRANSPORTATION ISSUES AND RELATED DECISIONS (Agenda Item #3)

Max Forbush passed out written public comments that had been received by the June 1st deadline.

David Petersen reviewed the recommendations of the Planning Commission and of Horrocks Engineers. Greg Scott of the Wasatch Front Regional Council had submitted his draft of recommendations and was present in the audience.

West State/South Interchange

The Planning Commission recommended a continuous Frontage Road. They also mentioned that all of the projects set forth in the Master Transportation Plan should be prioritized with an estimated time in which they should be completed.

Horrocks Engineers recommended a continuous frontage road system be developed at the South Interchange. This should be pursued in conjunction with the I-15 improvements.

They recommended the City work with UDOT to determine the feasibility and impacts (including pedestrian circulation) associated with an at-grade intersection at West State Street and the frontage road. They recommended that the City make a decision as to whether an at-grade or grade separated solution be selected.

Sid Young questioned whether there was a configuration that could eliminate signalization on the south end.

Max Forbush said the issue would be studied by UDOT so it would be as contiguous as possible.

Susan Homes questioned whether an at-grade intersection could be incorporated at the State Street and Frontage Road intersection or if a fly over going north and south could be incorporated.

Council Members discussed the suggestions stating it would eliminate traffic congestion from

Lagoon. They requested an analysis be done by Horrocks Engineers.

Max Forbush suggested meeting with John Thomas from Legacy.

The City Council agreed with Horrocks Engineers. They directed the City work with UDOT to determine the feasibility and impacts (including pedestrian circulation) associated with an at-grade intersection at West State Street and the frontage road and that the City make a decision as to whether an at-grade or grade separated solution be selected upon further work. Council members favored a continuous frontage road.

North Main

The Planning Commission recommended the following:

- **Somerset/Main**
It must be improved. Improvements should include but not be limited to a traffic light, roundabout, road alignment and grade modifications to increase site and stopping distances, etc.
- **Frontage Road Access**
Yes, if UDOT will allow it.
- **1400 North Main**
Further study is needed. Something should be done to increase safety at this intersection.
- **Main/Northridge Road**
Roundabout. The Planning Commission requested a visual model of the traffic control alternatives be presented.

Horrocks Engineers recommended the intersection improvements be made along North Main Street at Somerset, 1400 North, and the Fruit Heights Connector. The actual improvements to be made should be studied in more detail in conjunction with actual projects. These intersection improvements may include turn lanes, safety lighting, signals, roundabouts, or other appropriate improvements.

The City Council agreed with the Commission and Horrocks Engineers' recommendation regarding Somerset/Main, frontage road access and 1400 North Main. Nevertheless, they voted for the Horrocks Engineers recommendation regarding the Main/Northridge Road area.

Northwest Farmington

***The Planning Commission** recommended providing for Legacy North so the Park Lane interchange would not fail. They recommended providing a Western Major Collector to relieve pressure on Shepard Lane and provide additional access to Farmington businesses from the northwest area of the County. They also recommended providing a minor collector on Burke Lane across the UTA tracks to provide a second way out to Park Lane for residents in northwest Farmington. It would also distribute traffic more evenly on the west side.*

***Horrocks Engineers** recommended that a corridor be preserved for a future north Legacy connection to I-15. This would not eliminate further evaluation of interchange alternatives including a northbound connection further to the north.*

Susan Holmes felt there should be an agreement reached with UDOT to prevent a major interchange from being developed if the corridor were preserved.

Max Forbush passed out a letter that Horrocks Engineers had drafted for the City to send to Mr. Pope requesting UDOT to perform additional studies. **Mr. Forbush** suggested a similar letter be sent stating the corridor would be preserved if they would commit that a full interchange would not be created. He felt the Horrocks recommendation should include “No full interchange”.

Susan Holmes said she had concerns regarding the preservation of the corridor but felt the developments would be flooded with Kaysville residents accessing Park Lane. She felt an alternative should be found to prevent Park Lane from becoming congested like Layton. She felt the Master Plan should state fly overs were acceptable but an interchange would not be acceptable.

***The City Council** approved the policy that a corridor be preserved for a future north Legacy connection to I-15. This would not eliminate further evaluation of interchange alternatives including a northbound connection further to the north. The City objects to any full access interchange. The City Council accepted the Planning Commission recommendation for providing for Legacy North, providing a Western Major Collector, and providing a minor collector on Burke Lane across the UTA tracks.*

Southwest Farmington Major Collector Alternatives

***The Planning Commission** recommended the following:*

1. *Reserve both the 650 West and the “Cattle” Road as major collectors leading south to Centerville. This will provide two more north to south bound routes in addition to I-15, Legacy Highway, Frontage Road and SR 106 (200 East).*
2. *Explore utilizing land near the UTA tracks as an alignment for a major collector. If it proves to be unfeasible due to County opposition or other property owners unable to dedicate right-of-way, or for other reasons such as environmental*

constraints, then stay with the 1100 West alignment.

***Horrocks Engineers** recommended that both 1100 West and east side of the railroad right of way alignment be identified as possible major collector road alternatives. They recommended that the City pursue the feasibility of the railroad alignment. If this alignment is unachievable due to County opposition or funding or other constraints, the 1100 West alignment should be developed as the major collector route.*

They recommend that both 650 West and the Sheep Road be pursued as major collectors connecting to Centerville.

*The **City Council** agreed with the Planning Commission and Horrocks Engineers.*

Susan Holmes recommended considering 1525 West as a collector for the Ranches residents to collect to the Cattle Road, if it were approved. She wanted to make various access points to the three major through streets.

BRT

*The **Planning Commission** recommended the Frontage Road alignment over 200 East. However, some of the Commissioners suggested selecting a “preferred route” but not implementing BRT until it is extended to the north. The Planning Commission was not ready to finalize a recommendation until further research was done regarding downtown ridership, the BRT time line, and Centerville’s preferred alignment. They suggested not letting BRT issues hold up the rest of the Master Transportation Plan. BRT elements could be added at a later time.*

***Horrocks Engineers** recommended that the City maintain flexibility in regards to BRT. The actual alignment needs further study before an actual route is adopted. We recommend that the City support transit alternatives in general as an alternate mode of transportation.*

Greg Scott of the Wasatch Front Regional Council recommended 200 East as the preferred alignment and recommended a mixed-traffic use. He felt 200 East would provide better access to downtown Farmington. It would also provide continuity for the residents because buses already exist and the riders are used to accessing the buses on 200 East. He said BRT could be accepted in the Master Plan without including a preferred route. He encouraged the City Council to take a methodical approach to the decision. It could be an option to provide dedicated lanes to specific segments of the corridor.

Susan Holmes felt the alignment needed further study and would like the Master Plan to state that there should be communication with adjoining cities and that there should be service to Lagoon.

Rick Dutson stated he was concerned 200 East would become a dedicated lane in the future. He was not convinced that the downtown stop was a necessity but thought service to Lagoon was necessary. He wanted the City's impact to be as minimal as possible and felt the Frontage Road would have less impact on residents. He recommended the Frontage Road alignment be listed as the preferred route in the Master Transportation Plan.

Sid Young favored BRT but felt there should be further alignment study. He favored the Frontage Road alignment and felt it should be included in the Master Transportation Plan as the preferred route.

Susan Holmes favored the Frontage Road as the preferred route but felt downtown issues would need to be resolved. She thought long term traffic issues should be included in the Master Transportation Plan rather than specific routes.

Larry Haugen felt BRT should be centralized so all residents could have access. He did not think a 200 East alignment would provide for the citizens on the west side. The Frontage Road would have better park and ride options.

Mayor Connors asked Greg Scott what route Centerville preferred.

Greg Scott stated that Centerville was waiting to determine their route until Farmington's preferred route had been determined.

Mayor Connors felt that ridership patterns favored 200 East and that it would better serve the downtown area.

The City Council Members agreed to promote BRT. 3 out of 4 Council Members favored including the Frontage Road as the preferred alignment in the Master Transportation Plan but requested additional studies be done before making a final decision.

REPORT OF PLANNING COMMISSION (Agenda Item #4)

David Petersen reported proceedings of the Planning Commission meeting held May 26, 2005. He covered the following items:

- The Planning Commission tabled the decision to recommend the City Council to enact Chapter 20 of the zoning ordinance titled "Neighborhood Mixed Use Zone". The decision will be discussed at a meeting which will be held on Tuesday, June 7, 2005. The Planning Commission requested a pros and cons outline be created by **David Petersen** and **Jim Carter**.

- The Planning Commission accepted Jerry Preston's schematic plan in concept for a proposed planned unit development consisting of 112 lots on 32.3 acres located at approximately 50 West 700 South, but tabled a recommendation for schematic plan approval until additional information was received and changes were made to the plan.
- The Planning Commission recommended that the City Council zone Landform L.L.C.'s property LR and recommended that the City Council grant schematic plan approval for a proposed development on the subject property subject to certain conditions.
- The Planning Commission recommended a Property Conveyance Agreement between Farmington City and Jirayer and Margarit Nersisian to the City Council.

David Petersen discussed the sewer line of the Farmington Creek Estates, which borders the Diument property. He said there was a street to serve Phase 3 which then curves to Phase 2. The sewer line was going to be run along Glover Lane and would be 18 feet deep which would be too costly. Leland Meyer said 8-9 homes could be pumped on individual pumps where it would have an outfall which combined with the rest of the subdivision. Mr. Petersen felt it would promote further development for the sewer line and water line to be implemented further west in Glover's Lane. He said the water line would also have to be extended to the end of the property. He suggested taking the waterline to the stubbed street since it would loop back to 650 West. He questioned whether the City Council would like the water line extended to the edge of the property.

Mayor Connors said the City Council would never encourage development below 4218 elevation.

As a policy decision, the Council Members agreed that the developer should take the pipe to the stubbed road rather than to the property line since under the current ordinance, there is not developable property that it would serve.

PUBLIC HEARING: CONSIDERATION TO AMEND CORNERSTONE SUBDIVISION PLAT BY ADDING NEW LOT ADJACENT TO EMERALD OAKS DRIVE AND BY VACATING 700 WEST STREET RESERVING A PUBLIC UTILITY EASEMENT OVER PARTS OF THE ROAD (Agenda Item #5)

According to packet information, Farmington City received petitions from Harley and Jean Evans to vacate 700 West Street north of Emerald Oaks Drive and to amend the Cornerstone Subdivision by vacating 3 lots and creating 4 lots. The Planning Commission reviewed the petition on May 12, 2005, and recommended that the City Council vacate the right-of-way as requested

subject to the applicant conveying to the City a 15-foot wide public pedestrian access easement connecting the easterly end of Emerald Oaks Drive to Fruit Heights. However, the Planning Commission further recommended that the City Council deny the request to vacate 3 lots and create 4 lots, increasing the number of lots in the Cornerstone Subdivision by 1 additional lot.

David Petersen said Harley and Jean Evans had submitted an application to create four lots out of Lots 14, 15, 16 and a request for the City to vacate the 700 West right of way. The Planning Commission recommended vacating the street in exchange for a 15' trail easement since Fruit Heights had sealed off the connecting road. The Planning Commission did not recommend creating four lots from three lots. Mr. Petersen said if four lots were created, one of the lots would be below 20,000 square feet due to a well. This could be approved if the land was considered a conservation subdivision. An easement would then be placed over the four lots to prevent further lot division.

Mr. Petersen, at **Mayor Connor's** request, gave a brief history of the development. In 1991, the City had a dead-end street ordinance of 400' which was being surpassed. The distance was adjusted to 1,000 feet but there were still 3 roads that were in excess of 1,000 feet. In order to extend a non-conforming road, it had to be recommended by the Planning Commission and the fire department, and the lots could not be under 2 acres in size. Harley Evans wanted to develop his land which could be done by resolution. The City Council agreed to go under two acres but they needed to provide a way out. A bond was accepted. The resolution stated road patterns needed to be established before deciding whether to open the boundary portion of the land. Fruit Heights then sealed off the area.

Public Hearing

Mayor Connors opened the meeting to a public hearing and invited the applicant to address the City Council.

Jean Evans (713 Springwood Drive) did not think the adjoining property owner would allow a trail to go through her property. She was concerned about the cars that would park in the area to access the trail.

Harley Evans (713 Springwood Drive) said they opposed to a trail going through their property because of the current frontage. It would make it hard to access the two lots. He would like to get rid of the 50' wide stubbed road to utilize the ground to make two lots instead of one. He was granted 16 lots in the beginning and would like to add one back to make the subdivision complete.

Mark White (Lot #11 Owner in the Cornerstone subdivision) owns the property which is adjacent to the proposed trail access. He opposes the trail access due to parking issues and mail delivery issues.

Public Hearing Closed

With no further comments, **Mayor Connors** closed the public hearing and asked the City Council for their consideration.

Rick Dutson questioned whether the 15' trail would straddle the property line or if it would be on one lot.

David Petersen said the easement could straddle both or could be put on the larger lot. The lot is 100' even though it has a 60' frontage.

Rick Dutson felt the trail would only be accessed by local residents so there would not be parking issues.

Susan Holmes asked what bordered the property.

Mayor Connors said it was the Sterling Property which the property owners had avoided developing. There would be no road connection to Fruit Heights because it was now residential.

David Petersen diagramed the trails so the Council Members could see that the trails would have a central point at the Evans property.

Sid Young stated that at previous discussions, there had been concerns from neighbors regarding lot additions.

David Petersen said since the Evans had submitted their new proposal, there had not been any negative feedback received.

Susan Holmes said the City Council had granted the City's last subdivision adjustment because there was not material damage incurred. She felt this case was different because the size of the lots would be altered. She was hesitant to add lots in an area that was platted and that had been developed for ten years.

David Petersen said the City Council should view the application as two requests which would be the street vacation and an additional lot. Input from the traffic engineer, police department and fire department had not been received.

Mayor Connors stated that the police and fire department would need to review the request before a lot could be added to a non-conforming street.

Sid Young stated the only benefit from adding an additional lot would be the increased availability of sales for Mr. Evans. The smaller sized lots could be considered a material injury to the neighbors.

Motion

Sid Young moved that the City Council adopt an ordinance vacating 700 West Street and not request a trail as compensation. **Susan Holmes** seconded the motion, which passed by unanimous vote.

The request to add an additional lot died for lack of a motion.

UTA REQUEST TO USE CITY'S VACANT PARCEL ALONG 1075 WEST AT APPROXIMATELY 1500 NORTH FOR CONSTRUCTION AND LOCATION OF A TEMPORARY BUS STOP PAD - JEFFERY L. HARRIS (Agenda Item #6).

According to packet information, UTA requested approval for placement of a bus stop pad on Farmington City property located along 1075 West at approximately 1500 North. The proposed bus stop pad UTA would like to construct is 10 feet wide and 25 feet long.

The bus stop pad would provide safe drop for UTA patrons who will use the chapel parking lot located across the street at 1533 North as a temporary park and ride lot. UTA is pursuing use of this lot in order to replace the one lot along Shepard Lane where 70 Farmington area patrons park each day. The Shepard Lane lot is adjacent to the Knowlton Elementary School and this replacement will help alleviate conflicts there.

Max Forbush said the City Staff and the Police Chief had reviewed the request. The City did not have concerns since it would be a temporary situation. The City staff recommended approving the request contingent upon UTA cleaning the site subsequent to them moving to their permanent site.

John Cluff represented UTA and said they had worked with the LDS Church to address any issues. The site would be used to accommodate smaller uses and would accommodate riders on a northbound trip. A sidewalk exists for southbound riders.

Rick Dutson asked if a cross walk would be needed.

Max Forbush and **John Cluff** agreed that a cross walk would provide pedestrians with a false sense of security.

Motion

Susan Holmes moved that the City Council authorize the City Manager to respond to the UTA request; approving the same conditional upon UTA cleaning the site subsequent to them moving to the permanent park and ride facility at Station Park. **Sid Young** seconded the motion, which passed by unanimous vote.

PUBLIC HEARING RELATING TO THE ACCIDENT AT CLARK LANE AND PARK LANE.

The City Council agreed to amend the Agenda and to hear public comments regarding the accident that occurred at the intersection of Clark Lane and Park Lane the previous Friday night. The accident had taken the life of 14-year old Jacob Pratt and seriously injured two other teenagers. Some of Jacob's friends were in the audience and wanted to address the Council regarding safety issues with the intersection.

Mayor Connors said there had been safety concerns expressed since an accident had occurred the previous weekend at the intersection of 1100 West and Clark Lane. He said he sympathized with the families.

Mayor Connors opened the meeting to a public hearing.

Tara Montoya (1617 Country Bend Road) requested an inexpensive flashing light be installed as a cautionary measure to attract the attention of motorists who are unfamiliar with the area, especially Lagoon patrons. She asked to receive a monthly update outlining the improvements that were being made to increase traffic safety at the intersection.

Tanisha McOmber (141 Bonanza Road) wanted to comment on the safety issues regarding the intersection. She stated that the Farmington Ranches residents had to pass through the intersection several times each day. She stated that three Farmington Ranches residents had already had traffic accidents at the intersection. She felt the trees made it difficult to see on-coming traffic. She suggested flashing lights be installed to increase motorists awareness of the intersection. She felt \$150,000 for a traffic light would be a small price to pay for the value of a life.

Zach Patch felt something should be done to increase the intersection's safety. He felt a life was worth the money the City would invest. He said there could be other individuals impacted by the dangerous intersection.

Marshall Wiscombe felt money should not be an issue when considering safety hazards. He stated that students had considered protesting for a traffic light. He felt it would be an improvement to add a sidewalk to Clark Lane.

Rulon McRay felt something should be done to make motorists aware of the intersection.

Justin Beckstead felt something needed to be done to add safety to the intersection. He suggested organizing a fund raiser to earn money for a traffic light.

Justin Knowles said he had been at the accident site and had noticed that many motorists were confused by the intersection. He stated that within 20 minutes, three other accidents almost

occurred.

Haley Hilton said she would do anything to prevent others from being injured at the intersection. She said she would be willing to support a fund raiser to help fund a traffic light. She also felt something less expensive could add safety.

Logan Iverson said he agreed with the other students' comments and had seen other motorists in the intersection have "close calls". He said he would support a fund raiser.

Jenna Caraway felt the intersection was unclear as to which lane was dedicated for the traffic traveling straight and which lane was dedicated to traffic that was turning.

Mandy Allen felt human life was worth more than the price of a stop light. She said lives could be in the City Council's hands if the intersection were not improved.

Mike Heining (1629 Ranch Road) said he is aware that the City Council is concerned with the safety of the intersection and he knew that there were long-term solutions being considered. He felt a short-term solution should be incorporated to prevent more accidents from occurring before the long-term solution is achieved.

Jema McOmber (141 Bonanza Road) said the families of Jacob Pratt and those who were injured were devastated when the media reported that the City would not put in a light because \$150,000 was too expensive. She said a short term solution should be considered and suggested having the trees trimmed. She was concerned about Lagoon's patrons who are unfamiliar with the area. She said lives can not be replaced and major injuries can not be undone.

Mariah Montoya (1617 Country Bend Road) felt there should be a stop sign because she and her dad were almost in a car accident.

Mayor Connors said the City Council knew there could not be a monetary value placed on a human life. He said the City had made contact with UDOT who is doing preliminary studies to determine whether a street light is warranted. He said the City Engineers and the Traffic Engineers had been asked to recommend whether it would be appropriate, as a short term solution, to add flashing lights or to make a four-way stop. He said the sight issues at the intersection would be addressed immediately.

Mayor Connors gave a brief history of the intersection. He stated that Park Lane was a brand new road and had only existed for one year. The City had not been notified by UDOT that they had turned the intersection over to the City since no agreement had been signed. Clark Lane had always been a County road but because of traffic concerns, the City, within the past year had entered into an agreement with the County to take over maintenance and responsibility of the road. He said the improvements to the intersection had not yet occurred but the developers would begin

the process in the near future.

Jema McOmber (141 Bonanza Road) said she was frustrated because the Sheriff's office and the City had been notified prior to the accident regarding the trees. She said they were saddened that a life had to be lost before improvements are made.

Mayor Connors said the Sheriff works for the County, not the City. He introduced Police Chief, Wayne Hansen and said the City Council was concerned about public safety at every intersection within the City.

Max Forbush said the media had contacted him to find out what the cost would be to install a traffic light. He had not said that the City would not install a traffic light because of the cost. He was simply asked the cost of a light. The western portion of Clark Lane has to be widened before additional improvements can be made. UDOT had not taken action to remove trees at the intersection because the trees were on private property. He said the City had received approval from the property owners of where the trees are located to remove the trees. He had personally conveyed that information to UDOT prior to the accident.

Tara Montoya (1617 Country Bend Road) asked if a temporary island going south off of Park Lane would be a solution.

Max Forbush asked the Police Chief to discuss the possibility with Horrocks Engineers. He said it would be difficult to improve the intersection until the drainage ditch was addressed and the road was widened.

Police Chief Wayne Hansen said there were a lot of inaccuracies reported about the accident. He said the City would solve the intersection problem.

Susan Holmes said the Police Department had been working overtime on 1100 West. She said complaints should be addressed to the Police Department, not to the County. She stated that the ideas presented had been beneficial and invited the residents to contact her with additional suggestions. She advised the youth to get the facts, not the rumors.

ACCEPTANCE OF QUIT-CLAIM DEED PROPOSAL TO CORRECT TRAIL ALIGNMENT PROBLEM IN SHEPARD HEIGHTS SUBDIVISION - JASON LINDSEY (Agenda Item #7).

Max Forbush stated that the City Staff recommended purchasing the additional trail right-of-way at \$1.00 per square foot concurrent with the City receiving an appropriate deed for the land. The property owner wanted to negotiate the price.

Motion

Susan Holmes moved that the City Council authorize the City Manager to allocate money from the Parks Impact fees to purchase the additional trail right-of-way at a price to be negotiated with the property owner, concurrent with the City receiving an appropriate deed for the land. **Larry Haugen** seconded the motion, which passed by unanimous vote.

MINUTE MOTION APPROVING BUSINESS OF CONSENT (Agenda Item #8)

Larry Haugen moved that the City Council approve the following items by consent as follows:

- 8-1. Ratification of Construction Bond Agreements previously signed by Mayor Connors.
- 8-2. Ratify City Manager's Approval of new Web-site Development Proposal. Keith Johnson, Viola Kinney and Scott Davis have been working with InfoBytes and will be ready to present the outline of the new web-site at a future meeting.
- 8-3. Approval of Leisure Services Agreement with Mark Burningham to provide tennis lessons.
- 8-4. Approval of Surety Bond Agreement with Boyer-Wheeler Farm, LC, for public improvements within Phases 7A and 7B of Farmington Ranches Subdivision.

Sid Young seconded the motion, which passed by unanimous vote.

INTER-LOCAL AGREEMENT BETWEEN FARMINGTON CITY AND DAVIS COUNTY PERTAINING TO BUILDING INSPECTION SERVICES FOR PROPOSED EXPANSION OF DAVIS COUNTY JAIL (Agenda Item #9).

Max Forbush said the Inter-local Agreement between Farmington City and Davis County pertaining to building inspection services for the proposed expansion of the Davis County Jail would allow the County to hire their own building inspectors to inspect the County Jail. Impact fees would be charged but the building permit fee would not be.

Motion

Susan Holmes moved that the City Council authorize the Interlocal Agreement between Farmington City and Davis County pertaining to building inspection services for the proposed expansion of the Davis County Jail. **Sid Young** seconded the motion, which passed by unanimous vote.

AMENDMENT TO SOMERSET SETTLEMENT AGREEMENT PROVIDING FOR THE ASSOCIATION'S BOARD OF DIRECTORS TO GRANT STORM WATER EASEMENTS TO THE CITY (Agenda Item #10).

According to packet information, the Somerset Board of Directors does not want to have a vote on the granting of easements to the City. They believe they have the authority to do so as a Board of Directors, hence the need for amending the Agreement. The City Manager recommends approval of the same.

Max Forbush said it was a technical amendment. The City Staff and City Attorney recommended the Agreement amendment.

Rick Dutson moved that the City Council amend the Somerset Settlement Agreement providing for the Association's Board of Directors to grant storm water easements to the City. **Susan Holmes** seconded the motion, which passed by unanimous vote.

PROPOSED LAND CONVEYANCE AGREEMENT WITH THE NERSISIAN AND KILEY FAMILIES WHOSE PROPERTY ABUTS THE CITY'S STORM WATER DETENTION BASIN ON NORTH COMPTON ROAD ADJACENT AND SOUTH OF POINTE OF VIEW SUBDIVISION, PHASE III / RELATED BOUNDARY ADJUSTMENT REQUESTS (Agenda Item #11).

According to packet information, the Public Works Director, Planning staff and the City Manager recommend approval of these agreements. A meeting has been held with both property owners. Mr. Mazuran suggested a token fee of \$100 also be added to the agreement to avoid precedence. It had been determined by staff that the benefits for having property owners maintain the weeds and the steep hillside in this particular vicinity would be of great value in reducing the City's work level in maintaining the very difficult basins. A storm water easement would be retained on the portion of the land proposed to be conveyed to the Kileys.

Max Forbush said he had attended a meeting with the City Engineer, a storm water employee, and the two property owners. He said it was in the best interest of the City to allow the land owners to landscape the property. The City would be responsible for cleaning the detention basins. However, the City Attorney later recommended the granting of a 50-year permit use to use the property instead of deeding the property. If the property were sold, the agreement would lapse with an option to renew.

Motion

Sid Young moved that the City Council grant conceptual agreement between the City and the Nersisian and Kiley families subject to modifications recommended by the City Attorney. **Susan Holmes** seconded the motion, which passed by unanimous vote.

RESOLUTION ENACTING POLICE DEPARTMENT POLICIES RE: USE OF FORCE, LESS LETHAL WEAPONS, ETC. (Agenda Item #12).

According to packet information, the City Council was asked to consider adoption of a resolution regarding Firearms, Tasers, Use of Force and Less Lethal Weapons and Restraints. The policies had been reviewed and approved by Lisa Romney from Mazuran and Hayes, City Attorneys. In the last several months, the Police Department reviewed their policies and procedures. They are addressing the procedure part of the manual at this time.

Motion

Rick Dutson moved to adopt Resolution No. 2005-18, a Resolution Enacting Police Department Policies regarding Use of Force, Less Lethal Weapons and Restraints, Firearms, and Tasers. **Susan Holmes** seconded the motion which passed by unanimous vote.

CONSIDERATION OF A RESOLUTION OF THE CITY COUNCIL OF FARMINGTON CITY, UTAH, APPOINTING A BOARD OF EQUALIZATION AND REVIEW FOR FARMINGTON CITY, UTAH SPECIAL IMPROVEMENT DISTRICT NO. 2003-1; SETTING THE DATES FOR THE BOARD OF EQUALIZATION TO HEAR AND CONSIDER OBJECTIONS AND CORRECTIONS TO ANY PROPOSED ASSESSMENTS; AUTHORIZING THE CITY RECORDER TO PUBLISH AND MAIL A NOTICE OF MEETING OF SAID BOARD OF EQUALIZATION AND REVIEW; AND RELATED MATTERS (Agenda Item #12A).

Max Forbush said the majority of the improvements in the SID 2003-1 had been completed. The final improvements were in progress. The Board of Equalization meeting is scheduled for June 28-30, 2005, from 5:30 P.M. to 6:30 P.M.. Three council members would need to attend the meetings. City Staff had completed the assessment.

Keith Johnson gave the Council Members a handout outlining the SID projects and assessments. Zions Bank is scheduled to review the assessments. The cost of the street lights for the subdivision was less than anticipated. The total assessment includes the debt reserve. The assessment to the property owners would be reduced by 10% if it were paid by the initial due date. If it were not paid by the initial due date, a bond would be needed and the assessment would be 10% higher.

Max Forbush informed the Council Members that the 475 South Street SID Project had the highest per lineal front foot cost because the road had been constructed. Michael Brown and Jeanette Van Waggoner, developers of adjacent lots have previously posted escrowed funds to pay for the assessments at one and one-half times the value of the assessment. These amounts were set aside when the subdivision lots were sold.

Mr. Forbush also stated that the 185 East diagonal Street came in significantly higher than estimated amounts. The City could help fund for the sidewalk improvements from Class C road funds which would mean less money would be spent in the Somerset area. He said there was be increased public safety in the area as a result of the improvement. Therefore, he believed it was appropriate for the City to pay the cost over-run.

Keith Johnson stated the numbers would be published in the Clipper the following week. Public response would be heard in June at the Board of Equalization meetings.. He said the final assessment notice would be at the first meeting in July, 2005. Payments could be made the last two weeks of July. Bonds for unpaid improvements would be sold in August to finance the long-term debt. These bonds would be redeemed annually from S.I.D. assessment revenues collected from those property owners choosing to finance their assessment over time.

It was determined that **Sid Young** and **Larry Haugen** would attend all three Board of Equalization meetings. **Rick Dutson** would attend the meetings scheduled for June 28-29, 2005. **Susan Holmes** would attend the meeting scheduled for June 30, 2005.

Susan Holmes moved to pass the RESOLUTION OF THE CITY COUNCIL OF FARMINGTON CITY, UTAH, APPOINTING A BOARD OF EQUALIZATION AND REVIEW FOR FARMINGTON CITY, UTAH SPECIAL IMPROVEMENT DISTRICT NO. 2003-1; SETTING THE DATES FOR THE BOARD OF EQUALIZATION TO HEAR AND CONSIDER OBJECTIONS AND CORRECTIONS TO ANY PROPOSED AMENDMENTS; AUTHORIZING THE CITY RECORDER TO PUBLISH AND MAIL A NOTICE OF MEETING OF SAID BOARD OF EQUALIZATION AND REVIEW; AND RELATED MATTERS. **Rick Dutson** seconded the motion, which passed by unanimous vote.

CHIEF OF POLICE REPORT REGARDING SPEED STUDY, FUTURE DISPATCH SERVICES (Agenda Item #13).

Police Chief Wayne Hansen stated that the Police Department had done a speed study on 1100 West south of Clark Lane. The data was gathered on six different days. The days and times were varied and included weekends. The 85th percentile showed two speeds which were 38 and 37 mph. Based on the study as well as the fact that the Master Transportation Plan calls for widening 1100 West, he recommended the speed limit stay at 35 mph.

Max Forbush said a letter would be sent to notify the 1100 West residents of the speed study results and the Police Chief's recommendations.

Police Chief Wayne Hansen informed the Council Members that the Davis County Sheriff wanted the cities to make up approximately \$1,000,000 in the County's dispatch budget. Bountiful City who has their own dispatch service was approached for dispatching for other cities. A more recent letter was received from Davis County which stated a mistake had been made regarding the

projected cost of \$1,000,000. The County's more recent estimate was much less. Under the recent proposal, dispatch services to the City would be free through 2006. In 2007, it would be approximately \$16,000/year for police and fire dispatch services. More information and discussion will likely occur in the months ahead.

MISCELLANEOUS (Agenda Item #14)

Rick Dutson said he had been impressed with the Conference of International Council of Shopping Centers (ICSC) which was held in Las Vegas. He was also impressed with the input of the Haws Group and felt Station Park would be a historic addition to Farmington.

Susan Holmes said she had attended a meeting to determine the next process for Station Park. She said it was important to address the Master Development Guidelines (MDG). She requested to serve on the committee with **Sid Young**. She requested authorization for **Mr. Forbush** to pursue finding a consultant to review the MDG and CAMP documents for consideration by the City Council.

Sid Young felt it had been beneficial to attend the ICSC conference. He felt there would need to be stronger involvement in development plans from the City in the future. He stated that it would be essential for a Project Management Team to interface with Station Park staff.

Susan Holmes said engineering had been discussed for the below ground infrastructure at Station Park. She said Paul Hirst had been contacted and would have one of his members interacting between the City and the Haws group.

Sid Young express a desire to do personal polling and study regarding BRT so he could have additional information. He requested permission to study the downtown ridership and to poll the businesses, the School District and the County. He stated he would involve Greg Scott of the Wasatch Front Regional Council but the surveying would not cost the City.

Mayor Connors expressed caution to **Mr. Young** regarding doing a poll, but would not stop him from doing what he deemed necessary.

Max Forbush passed out a letter that the County Public Works had asked the Mayor to sign. It pertained to the Farmington Creek and the Legacy Highway. In order for the pipe to be installed in Farmington Creek there would have to be weirs removed near 650 West that were owned by Clark Water Association in which the City owns shares. The County had offered to pay \$20,000 for the right to remove the weirs. The City would not be responsible for any of the cost. City Staff recommended signing the letter to support the installation of the storm water pipe.

Motion

Rick Dutson moved to authorize the Mayor to sign a letter requesting Clark Water Company to support the County's request to permanently remove the three weirs located in the Farmington Creek to accommodate the new steel casings that would be installed for drainage purposes. **Sid Young** seconded the motion which passed by unanimous vote.

Max Forbush informed the City Council Members that Planning Commissioner John Montgomery had resigned. Mr. Forbush distributed a copy of Mr. Montgomery's letter of resignation to the Council Members.

[The City Council Meeting temporarily recessed at 10:00 P.M. in order to hold a meeting of the Redevelopment Agency of Farmington.]

[The City Council Meeting reconvened at 11:05 P.M.]

CONSIDERATION OF ORDINANCE ADOPTING "STATION PARK REDEVELOPMENT AGENCY PROJECT AREA PLAN DATED APRIL 1, 2005" (Agenda Item #15).

Motion

Rick Dutson moved to adopt Ordinance No. 2005-19, an Ordinance of the City Council of Farmington City, State of Utah, adopting the Station Park Redevelopment Project Area Plan dated April 1, 2005, and entitled "Station Park Redevelopment Project Area Plan". **Susan Holmes** seconded the motion, which passed by unanimous vote.

Motion

At 11:30 p.m. **Susan Holmes** moved that the City Council adjourn to closed session to consider items relating to pending litigation and potential acquisition of property. **Sid Young** seconded the motion.

A motion was made at 11:40 p.m. by **Susan Holmes** to go back into open session. The motion was seconded by **Larry Haugen** and passed with all Council Members voting affirmatively.

YESCO SIGN

A motion was made by **Susan Holmes** and seconded by **Larry Haugen** directing staff to issue a building permit to YESCO on their request to repair the sign. The motion passed unanimously with all Council Members voting in the affirmative.

SALES TAX REVENUE BONDS

Max Forbush reported to the Council that a decision needs to be made at the meeting regarding the Sales Tax Revenue Bonds. Barnes Bank has purchased the bonds at a good rate. The bonds are for (1) the Community Center basement and Museum; (2) to refinance the road bond to obtain a better interest rate; (3) to refinance the line of credit for the water meters; and (4) for west Clark Lane storm water and street widening. The piping of Farmington Creek will not be done at this time. The undecided issue is #4 – the west Clark Lane storm water and street widening project.

Mr. Forbush recommended that the Council allocate \$370,000 to be spent within three years so a long-term solution can be found for west Clark Lane. The City Engineer has been asked to start the design work on the project. It has now been determined that the Clark Lane/1100 West intersection is the City's responsibility. He believes that the City would be better off getting a contractor and getting the work done as soon as possible. There is a possibility of some right-of-way acquisition from Todd Jones might need to take place on the north side of Clark Lane. UDOT will notify the City within two weeks if the intersection of 1100 West & Clark Lane meets the warrants for a signal light. If it doesn't meet warrants for a signal, the City Council would then need to decide what should be done with the intersection, such as a four-way stop, a signal without UDOT's recommendation, etc.. He stated that construction of the intersection along with removal of the brush and lighting will by itself improve safety.

Mr. Forbush reviewed accounting information showing projected costs related to the Clark Lane and 1100 West intersection. The total cost would be \$370,000. The issue before the Council is whether to include that amount in the sales tax revenue bonds. By doing so, it would give an immediate revenue source to move forward on the project this construction season.

Motion

Rick Dutson moved, to include in the amount bonded, \$460,000 for the Community Center Basement and Museum; \$737,000 for refinancing the road excise tax bond; \$237,000 for refinancing line of credit for water meters; and \$370,000 for storm water and street improvements around the City with the priority being at the intersection of 1100 West and Clark Lane. A second on the motion was made by **Larry Haugen**. The motion passed with all Council Members voting "yea".

Mayor Connors pointed out that by authorizing the borrowing the Council is not determining the source of repayment for the bond amount. The repayment could possibly come from street impact fees, RDA increment from the Station Park Project Area, or a mix of the two sources.

ADJOURNMENT

There being no further business, upon motion by **Rick Dutson** with a second by **Larry Haugen** the meeting adjourned at 11:55 p.m.

Farmington City Council

June 1, 2005

Margy Lomax, City Recorder